

HEALY & BAILLIE, LLP  
Jeremy J. O. Harwood (JH 9812)  
Jack A. Greenbaum (JG 0039)  
Jana N. Byron (JB 6725)  
Attorneys for Defendant  
Proteinas Y Oleicos S.A. De C.V.  
61 Broadway  
New York, NY 10006-2701  
(212) 943-3980

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HBC HAMBURG BULK CARRIERS  
GMBH & CO. KG,

Plaintiffs,

-against-

PROTEINAS Y OLEICOS S.A. DE  
C.V.,

Defendants.

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04 CV 6884 (NRB)

\*\*\*ECF CASE\*\*\*

**NOTICE OF MOTION**

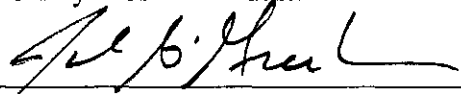
PLEASE TAKE NOTICE that upon the accompanying memorandum of law, and the Declarations of Jack A. Greenbaum dated December 27, 2004, Alexjandro Bermudez Cabrera dated December 20, 2004, Alejandro Jose Trava Lopez dated November 29, 2004, Myrtle Moose dated December 20, 2004, and Gregorio Gomez Sanz dated December 17, 2004, and all of the prior pleadings and papers in this action, Defendant Proteinas Y Oleicos S. A. de C. V. will move this Court, pursuant to Rule E((4)(f) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure

Admiralty and Maritime Rule E.1, for an Order (1) vacating the Process of Maritime Attachment and Garnishment herein; (2) releasing electronic fund transfers that have been frozen; (3) directing that no additional electronic fund transfers be frozen; (4) barring the issuance and/or service of any future Process of Maritime Attachment and Garnishment; and (5) dismissing the action for lack of jurisdiction, and for such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that the Court has directed that Defendant's motion be filed by December 27, 2004, that Plaintiff's opposition be filed by January 18, 2005, and that Defendant's reply be filed by January 25, 2004.

Dated: New York, New York  
December 27, 2004

Respectfully submitted,  
HEALY & BAILLIE, LLP  
Attorneys for Defendant

by   
JACK A. GREENBAUM (JG 0039)  
61 Broadway  
New York, N. Y. 10006  
(212) 943-3980

To:

Freehill, Hogan & Mahar  
80 Pine Street  
New York, N. Y. 10005  
Attorneys for Plaintiff